

Application No.: 10/626,271
Amendment Dated: October 19, 2007
Reply to Office Action of: June 26, 2007

MDA-2880US1

Remarks/Arguments:

In view of the above amendments and following remarks, reconsideration of the present application is respectfully requested.

By this amendment, claims 102, 103, 105, 107-109, 111, 112 and 114-121 have been amended. Claims 102, 103, 105 and 107-122 are currently pending in this application.

The Examiner has rejected claims 102, 103, 105 and 107-122 under 35 U.S.C. § 102(b) as being anticipated by Nemirofsky (U.S. Patent No. 5,412,416) for the reasons contained in paragraph 1 on pages 2 and 3 of the Office Action.

Without intending to acquiesce to the Examiner's aforementioned prior art rejection and in order to expedite allowance of this application, each of independent claims 102, 105, 108, 111 and 114-121 has been amended to more clearly distinguish the claims over the prior art.

Particularly, according to the claimed embodiments, the transmission format information, which includes an identifier and starting time information related to the identifier, is transmitted to a receiving apparatus. The identifier identifies content to be activated by the receiving apparatus, and the starting time information indicates a starting time for activating the content at a future point of time. In alternative claimed embodiments, the transmission format information includes processing term information in place of the starting time information and such processing term information indicates a term for processing the content at a future point of time.

As an illustrative example of one of the benefits of the aforementioned newly claimed feature, the setup time before activating or processing the content can be reduced since the starting time or processing term which is sent to the receiving

apparatus indicates a starting time for activating, or term for processing, the content at a future point of time. (See paragraph [0250] of the subject specification.)

It is submitted that the aforementioned feature is recited in each of newly amended independent claims 102, 105, 108, 111 and 114-121 and that such a feature is not disclosed or suggested by the Nemirofsky reference, as discussed below.

The Nemirofsky reference discloses a distribution network for allowing video programs to be transmitted from a distribution center (DC) to a multitude of receiving sites (RS) dispersed over a wide geographical area. (See Fig. 1 and col. 4, lines 23-27.) A specific objective of this system is to allow insertion of market-specific segments into the general network-wide program without the need for pre-assembly of each unique program or operational involvement of personnel at the receiving sites. (See col. 4, lines 36-41). This objective is achieved by embedding command data in the network-wide program 20 which is distributed to the receiving sites. (See col. 8, lines 45-50). For example, embedded storage command data, when read during processing of the network-wide program at a receiving site, activates a storage bank 72 to recall a stored market-specific segment from the storage bank 72 for insertion into the network-wide program 20. (See col. 9, lines 21-27 and lines 39-43.) More particularly, when control data embedded in the video signal is read, it will immediately trigger a set of commands stored in memory units 64, 66 such as record, stop record, cueing up, start play and stop play operations for the video storage bank 72. (See col. 10, lines 13-18 and col. 17, lines 10-12.) Such control data embedded in the video signal according to the Nemirofsky system is quite different from, and fails to teach, transmission of the starting time or processing term as recited in the claims of the present application. Particularly, the Nemirofsky reference clearly fails to disclose or suggest transmission of a starting time for activating or term for processing

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content at a future point of time, as now recited in newly amended independent claims 102, 105, 108, 111 and 114-121.

In view of the foregoing, it is submitted that independent claims 102, 105, 108, 111 and 114-121, as well as claims 103, 107, 109, 110, 112, 113 and 122 dependent thereon, clearly are allowable, and the Examiner is kindly requested to promptly pass this case to issuance.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, the Examiner is kindly requested to contact the Applicants' representative in order to expedite allowance of this application.

Respectfully submitted,

RatnerPrestia



Allan Ratner, Reg. No. 19,717
Attorney for Applicants

DG/fp

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P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

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